

**New Hampshire Department of Education
Bureau of Special Education
Compliance & Improvement Monitoring
2015-2016 Review of Special Education Policy and Procedures**

Each district must have policies, procedures, and effective implementation of practices that are aligned and support the implementation of IDEA and the New Hampshire Rules for the Education of Children with Disabilities. As part of the special education compliance review, the monitoring team will review the district's policies and procedures manual for compliance.

In addition, the Bureau of Special of Education will cross check the Annual Request for Federal Special Education Funds FY 14, IDEA Part B Section 611 Assurances, and District Policies to Support Assurance Standards with the district's policy and procedures manual to ensure that document name, date adopted, and pages are valid. Districts are required to submit assurance statements with their local application for IDEA funds.

School District:		Date Received:	
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<input checked="" type="checkbox"/> or NC	New Hampshire Rules for the Education of Children with Disabilities	DOCUMENTATION
	Ed 1101.01 Policies and Procedures based on the current New Hampshire Rules for the Education of Children with Disabilities June 30, 2008; Amended as of December 1, 2010; Amended as of May 15, 2014	
	Ed 1126.02(b) The department shall approve public and non-public programs for children with disabilities through a monitoring process, including but not limited to on-site visit(s) and examination of written documentation, by reviewing the following: Ed 1126.02(b)(3) (3) Policies and procedures, including: <input type="checkbox"/> a. Procedures for handling confidential information; <input type="checkbox"/> b. Due process guarantees; <input type="checkbox"/> c. Least restrictive environment processes; <input type="checkbox"/> d. Child find activities; <input type="checkbox"/> e. Non-discriminatory testing practices; and <input type="checkbox"/> f. IEPs;	
<input checked="" type="checkbox"/> or NC	34 CFR 300.111; Ed 1105 CHILD FIND	DOCUMENTATION
<input type="checkbox"/>	Compliant with Federal Assurance	
	34 CFR 300.111(a)(i) All children with disabilities residing in the State, including children with disabilities who are homeless children or are wards of the State, and children with disabilities attending private schools, regardless of the severity of their disability, and who are in need of special education and related services, are identified, located, and evaluated.	
	Ed 1105.01(b) The LEA shall have policies and procedures to ensure that any child who is potentially a child with a disability attending school and for any child 2.5 years of age up to 21 years of age residing within its jurisdiction is referred to the IEP team.	

✓ or NC	POLICY AND PROCEDURE REVIEW	DOCUMENTATION
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Ed 1105.02(a) The District has established referral procedures, which ensures that all students who are suspected or known to be a child with a disability are referred to the special education evaluation team for further evaluation.	
Ed 1105.02(c) The District shall coordinate with area agencies and family centered supports and services to establish a process of district notification of children served by these programs consistent with the interagency agreement between the District and the agencies providing family centered supports and services.	
Ed 1105.02(d) On an annual basis, the District contacts all approved nonpublic private schools (including religious elementary and secondary schools) within its geographic boundaries regardless of where the child resides for the purpose of conducting child find activities that ensure equitable participation of private school students with disabilities and provide an accurate count of those students.	
Ed 1105.02(e) On an annual basis, the District contacts all community agencies and programs within its geographic boundaries that provide medical, mental health, welfare, and other human services, to advise them of the District's responsibility to identify and evaluate all students who may be a child with a disability,	
Ed 1105.02(f) On an annual basis, the District publicizes and disseminates information, which describes its Child Find Program.	
Ed 1105.02(g) The-District shall annually provide all parents of children with disabilities information regarding their rights and responsibilities under federal and state special education laws.	
Ed 1105.02(h) The District ensures that all referrals from parents and others who suspect or know a child with a disability are forwarded to the special education evaluation team. The District shall provide the parents with a written notice of any referral other than the one initiated by the parent	
Ed 1105.04(a) The LEA shall develop a written early transition process for children exiting family centered early supports and services which assures that any child who is potentially a child with a disability is evaluated and eligibility for special education is determined prior to the child's third birthday. If the child is determined to be a child with a disability eligible for special education and related services, the LEA shall ensure that an IEP is developed and implemented on or before the child's third birthday.	
Ed 1105.04(b) The transition process in Ed 1105.04(a) shall include a written interagency agreement between the LEA and the local area agencies, as defined by RSA 171-A: 21-b, responsible for the provision of family centered supports and services in that community.	
Ed 1105.04(d) The LEA shall participate in transition planning conferences arranged by the local area agency responsible for family centered early supports and services in that community.	

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✓ or NC	34 CFR 300.307; Ed 1107 SPECIFIC LEARNING DISABILITIES; EVALUATION	DOCUMENTATION
	34 CFR 300.307(b); Ed 1107.02(b) Each LEA shall adopt a policy describing the evaluation procedures and standards that will be used to evaluate whether a child has a specific learning disability.	
✓ or NC	34 CFR 300.112; Ed 1109 THE INDIVIDUALIZED EDUCATION PROGRAM	DOCUMENTATION
	34 CFR 300.112; Ed 1109.06(a) The LEA shall develop and implement procedures designed to monitor that all IEPs are implemented. The IEP team may be reconvened at any time to review the provisions of the IEP.	
✓ or NC	34 CFR 300.115; Ed 1111 CONTINUUM OF ALTERNATIVE PLACEMENTS; PLACEMENT OF CHILDREN WITH DISABILITIES	DOCUMENTATION
	34 CFR 300.115(a); Ed 1111.03(b) School districts shall, at a minimum, give evidence that the continuum of alternative learning settings from least restrictive to most restrictive set forth in Table 1100.2, "Continuum of Alternative Learning Settings for Preschool" and as set forth in Table 1100.3, "Continuum of Alternative Learning Environment" is available or would be made available as placements for children with disabilities, including children of preschool age.	
	34 CFR 300.115(a); Ed 1111.03(d) Preschool children with disabilities may receive their special education program in any of the environments listed in Table 1100.3 as follows: <input type="checkbox"/> Early childhood program <input type="checkbox"/> Home <input type="checkbox"/> Special Education Program <input type="checkbox"/> Service Provider Location <input type="checkbox"/> Separate school <input type="checkbox"/> Residential facility	
	34 CFR 300.115(a); Ed 1111.03(e) Children age 6-21 may receive their special education program at any of the environments listed in Table 1100.4 as follow: <input type="checkbox"/> Regular classroom <input type="checkbox"/> Regular classroom with consultative assistance <input type="checkbox"/> Regular classroom with assistance by specialists <input type="checkbox"/> Regular classroom plus resource room help <input type="checkbox"/> Regular classroom plus part-time special class <input type="checkbox"/> Full-time special class <input type="checkbox"/> Full-time or part-time special day school <input type="checkbox"/> Full-time residential placement <input type="checkbox"/> Home instruction <input type="checkbox"/> Hospital or institution	

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✓ or NC	34 CFR 300.123; Ed 1119 CONFIDENTIALITY; CONFIDENTIALITY OF INFORMATION	DOCUMENTATION
<input type="checkbox"/>	Compliant with Federal Assurance	
	34 CFR 300.610; Ed 1119.02(a) Each participating agency shall comply with 34 CFR 300.610-300.627, relative to confidentiality of information, including compliance with the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232G, (FERPA) and its implementing regulations in 34 CFR Part 99.	
✓ or NC	34 CFR 300.201; Ed 1126 CONSISTENCY WITH STATE POLICIES; STATE DEPARTMENT OF EDUCATION MONITORING OF EDUCATIONAL SERVICES AND PROGRAMS FOR CHILDREN WITH DISABILITIES	DOCUMENTATION
<input type="checkbox"/>	Compliant with Federal Assurance	
	34 CFR 300.101; Ed 1126.01(b) The LEA request shall fully and accurately describe the LEA's policies and procedures regarding the provision of FAPE to all children with disabilities and include:	
	Ed 1126.01(b)(3) A section on special education facilities, personnel, and services that shall provide a detailed description of all <ul style="list-style-type: none"> <input type="checkbox"/> facilities, <input type="checkbox"/> personnel, <input type="checkbox"/> and services the LEA is required to make available in those instances where the educational needs of the child with a disability cannot be met in a regular education setting, including: <ul style="list-style-type: none"> <input type="checkbox"/> a. The full range of opportunities the LEA shall make available in public schools, including: <ul style="list-style-type: none"> <input type="checkbox"/> 1. Class size; <input type="checkbox"/> 2. Staff; <input type="checkbox"/> 3. Related services; <input type="checkbox"/> 4. Extent of participation in special education programming; <input type="checkbox"/> 5. The maximum number of children who can be served; <input type="checkbox"/> 6. Types of disabilities served; <input type="checkbox"/> 7. Ages of children served; <input type="checkbox"/> b. Regional programs the LEA shall make available to children with disabilities; <input type="checkbox"/> c. Non-public schools within the LEA serving children with disabilities; <input type="checkbox"/> d. Non-public schools the LEA shall use for out-of-LEA placements for children with disabilities; and <input type="checkbox"/> e. Vocational programs the LEA shall provide for children with disabilities; 	
	Ed 1126.01(b)(4) A personnel development component describing the LEA's policies and procedures to ensure that professional development opportunities shall be available to teachers, staff and administrators which enhance their knowledge and skills related to the education of children with disabilities, including a description of current in-service activities and those for the next school year;	

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	<p>Ed 1126.01(b)(5) A parent involvement component that shall describe the LEA's policies and procedures, specifying the participation of parents in the process of</p> <ul style="list-style-type: none"> <input type="checkbox"/> identifying, <input type="checkbox"/> evaluating, <input type="checkbox"/> developing IEPs, and <input type="checkbox"/> determining placement of children with disabilities; 	
	<p>Ed 1126.01(b)(6) A public participation component that shall describe the LEA's policies and procedures to ensure the LEA application is available for review by</p> <ul style="list-style-type: none"> <input type="checkbox"/> parents, <input type="checkbox"/> other agencies, <input type="checkbox"/> and the general public; 	
	<p>34 CFR 300.121; Ed 1126.01(b)(7) A procedural safeguards component describing the LEA's policies and procedures which shall ensure that due process, confidentiality, and other required procedural safeguards are available in written form to children with disabilities and their parents;</p>	
	<p>34 CFR 300.300-300.311; Ed 1126.01(b)(8) A pupil evaluation to placement section describing the LEA's policies and procedures for referral, evaluation, development of IEPs, and placement for children with disabilities which shall describe, in chronological order, all participants in the decision making and implementation;</p>	
	<p>Ed 1126.01(b)(9) A program evaluation component that shall describe the LEA's policies and procedures for determining:</p> <ul style="list-style-type: none"> <input type="checkbox"/> a. The degree to which the special education or special education and related services being provided for children with disabilities are effectively meeting the identified needs of the children with disabilities; <input type="checkbox"/> b. The methods the LEA shall use for determining program deficiencies and future needs; <input type="checkbox"/> c. Strategies designed to eliminate identified gaps and program needs; <input type="checkbox"/> d. A plan aimed at complying with findings of the report issued by the commissioner of education following an on-site compliance monitoring review of the LEA's special education programs and the LEA's implementation of the IDEA by the LEA pursuant to the LEA's duties as assigned by RSA 186-C:5; 	
	<p>Ed 1126.01(b)(10) A component concerning other agencies that shall describe the LEA's policies and procedures to ensure coordination with other local and state agencies in meeting the needs of children with disabilities;</p>	
	<p>34 CFR 300.132(a); Ed 1126.01(b)(11) A component that shall describe the LEA's policies and procedures to ensure that children with disabilities enrolled in private schools by parents who reside in the jurisdiction of the LEA have the opportunity for equitable participation in special education programs in accordance with Ed 1111;</p>	
	<p>34 CFR 300.172(b)(4); Ed 1126.01(b)(12) A component that shall describe the LEA's reasonable steps to ensure that children with disabilities who need instructional materials in accessible formats receive those materials at the same time other children receive instructional materials.</p>	